

REMARKS

This paper is submitted after the Decision on Appeal issued by the Board of Patent Appeals and Interferences in connection with the above-identified case on January 27, 2011, and accompanies a Request for Continued Examination (RCE).

Initially, the Applicant thanks the examiner for the courtesies extended during the telephone conferences conducted on or about January 25, 2011 and February 3, 2011, with Applicant's undersigned representative, in regards to the Decision on Appeal. The amendments to the claims presented herein are intended to reflect the substance of the latter telephone conference.

In the Decision on Appeal, the Board sustained the outstanding rejections of claims 1-3, 5-9, 14-23, and 39, but reversed the rejection of claim 43. The Board indicated that the applied reference, i.e., Emsley, does not disclose a bin having an open top and an open front.

By way of the foregoing, independent claims 1, 15, and 39 are amended to recite bins having open tops and open fronts. Claim 5 is amended for consistency. Claim 20 is amended for clarity. No new matter is added. Applicant respectfully submit that each of the pending claims are in condition for allowance.

Rejoinder of claims 40-42 is also requested, as each is dependent on an allowable base claim.

Prompt and favorable consideration of the application, as amended, is respectfully requested.

CONCLUSION

In view of the foregoing, Applicant believes that all outstanding objections, rejections, and other concerns have been either accommodated, traversed, or rendered moot. If there are any issues that the examiner wishes to address by telephone, he is invited to contact the undersigned at (312) 474-6300.

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Respectfully submitted,

By 

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